

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB1306
By Ford

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 212, relative to cleanup of hazardous waste sites.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 212, is amended by adding a new section as follows:

(a) There is hereby established a voluntary cleanup oversight and assistance program whereby parties ("volunteer") who are willing and able to conduct an investigation and cleanup of an inactive hazardous substance site may do so with departmental oversight upon entering into a consent order. The consent order shall outline:

(1) The plan of action to be taken for the investigation of the extent of contamination;

(2) The partial or full remedial investigation and feasibility study as agreed upon between commissioner and volunteer;

(3) A plan for the allocation of liability and limitation of lien to be affixed to the land which is consistent with the allocation and lien provisions as set forth in Tennessee Code Annotated, Sections 68-212-207 and 68-212-209; and

(4) Liability which is allocated to potentially responsible parties ("PRP") other than volunteer may be paid from the hazardous waste remedial action fund created in Tennessee Code Annotated, Section 68-212-204. The commissioner is authorized to seek recovery of such expenditures from such funds from said PRPs in the full amount of such PRPs' allocated share of liability by any legal remedy through the exercise of his powers and duties as established by this act or this chapter.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.

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